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WILMINGTON, DELAWARE 19801

December 14, 2006

The Honorable Kent A. Jordan  
U. S. District Court for the  
District of Delaware  
844 North King Street, Room 4209  
Lock Box 10  
Wilmington, DE 19801

**HAND DELIVERED**

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2006 DEC 14 PM 3:48

Re: Michael G. Syracuse d/b/a Interstate Supply Company and Texas  
ICO, Inc. vs. Orion Refining Corporation, et al.  
C. A. Number 06-536

Dear Judge Jordan:

I am the Court-appointed Mediator in the above-referenced appeal from the Bankruptcy Court. Mediation took place on November 16, 2006, and the parties have agreed there is no reason to further mediate. A copy of the Mediation Certificate of Completion which was emailed to the Clerk's office is enclosed for your convenience.

Please let me know whatever I can do to assist you in further addressing the Court's request.

As always, if Your Honor has any questions, please feel free to contact me. Thank you.

Respectfully,



Brian A. Sullivan

BAS/cad  
Enclosure

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

In re )  
ORION REFINING CORPORATION ) Case No. 03-11483 (MFW)  
 )  
Debtor(s) ) Adv. Proc. No. 03-53939 (MFW)  
MICHAEL G. SYRACUSE d/b/a )  
INTERSTATE SUPPLY COMPANY, and )  
TEXASICO, INC. ) MEDIATOR'S CERTIFICATE OF COMPLETION  
Plaintiff(s) )  
 )  
v. )  
ORION REFINING CORPORATION )  
Defendant(s) )

In accordance with this Court's Order Assigning Adversary Proceeding to Mediation, dated September 8, 2006, the undersigned mediator reports that the mediation was completed on November 16, 2006 and resolved in the following manner (*complete applicable provisions*):

(a) The following individuals were present:

(1) Parties (name and capacity) -

Richard D. Allen, Esq., Representing ORC

Gregory W. Werkheiser, Esq., Representing ORC

J. T. Atkins, Managing Director

(2) Counsel (name and party representing) -

Michel R. Lastowski, Esq., Representing Michael G. Syracuse

Edward S. Rapier, Jr., Esq., Representing Michael G. Syracuse

(b) The following parties failed to appear and/or participate as ordered:

(c) The outcome of the mediation conference was:

\_\_\_\_\_ The matter has been completely resolved and counsel (or parties) have been

instructed to file an appropriate stipulation and proposed order within twenty (20) days of the conference.

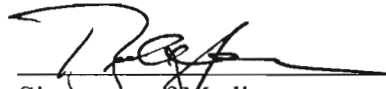
\_\_\_\_\_ The matter has been partially resolved and counsel (or parties) have been instructed to file an appropriate stipulation and proposed order regarding those claims or issues which have been resolved within twenty (20) days.

\_\_\_\_\_ The following issues remain for this court to resolve:

  X   The matter has not been resolved and should proceed to trial.

\_\_\_\_\_ OTHER:

Dated: December 13, 2006

  
\_\_\_\_\_  
Signature of Mediator

Brian A. Sullivan  
Name of Mediator  
P. O. Box 25046  
Mailing Address  
Wilmington, DE 19899  
City, State, Zip Code  
(302) 652-1100  
Phone No.

cc: Counsel of Record  
Pro Se Parties

(9-24-04)